

## Message Text

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PAGE 01 STATE 125425  
ORIGIN COME-00

INFO OCT-01 EUR-12 ISO-00 EB-07 L-03 /023 R

DRAFTED BY COM:OIFI:FBP:JMLIGHTMAN/MMP  
APPROVED BY EB/IFD/BP:HARVEY J. WINTER  
S. SCHLOSSER/P&TMO

-----010546Z 014950 /14

R 312251Z MAY 77  
FM SECSTATE WASHDC  
TO AMEMBASSY COPENHAGEN

UNCLAS STATE 125425

E.O. 11652: N/A

TAGS: BDIS, DA

SUBJECT: LEGAL OBLIGATIONS TO PROVIDE SOFTWARE SOURCE  
LISTING

REF: COPENHAGEN 3019 AND 2816

UNDER U.S. LAW, A FIRM SELLING SOFTWARE HAS TO TURN OVER  
TO THE PURCHASER THE MATERIAL AND INFORMATION THAT IS CON-  
TRACTED FOR WITH THE PURCHASER. THEREFORE, THE QUESTION  
POSED IN REFTELS IS ONE OF CONTRACTUAL INTERPRETATION. IF  
THE CONTRACT REQUIRES THE SELLER TO PROVIDE SOURCE LISTING,  
I.E., SOURCE CODE, FAILURE TO DO SO IS A BREACH OF CON-  
TRACT. THERE IS NO RULE OF CONTRACT INTERPRETATION UNDER  
FEDERAL CASE LAW OR STATUTE THAT REQUIRES THE TURNING OVER  
OF SOURCE LISTING, CODE OR OTHER DATA FOR COMPUTER SOFT-  
WARE WHEN NOT REPEAT NOT SPECIFICALLY CONTRACTED FOR  
BETWEEN THE PURCHASER AND SELLER. IT IS ESSENTIAL THAT  
INTERESTED PARTY ENLIST SERVICES OF COMPETENT LEGAL COUNSEL  
FOR ADVICE AND ASSISTANCE IN SEEKING RELIEF IN THIS MATTER.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 31-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE125425  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** OIFI:FBP:JMLIGHTMAN/MMP  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770194-0542  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t1977051/aaaaaaqp.tel  
**Line Count:** 55  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 1924c486-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN COME  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 COPENHAGEN 3019  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 14-Jan-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2312623  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LEGAL OBLIGATIONS TO PROVIDE SOFTWARE SOURCE LISTING  
**TAGS:** BDIS, DA  
**To:** COPENHAGEN  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/1924c486-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
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